

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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COUNSEL FINANCIAL SERVICES, LLC,

Plaintiff,  
v.

ORDER  
08-CV-156A

MELKERSEN LAW, P.C.  
MICHAEL J. MELKERSEN, ESQ.,

Defendants.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On January 27, 2009, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that plaintiff's motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, plaintiff's motion for summary judgment is granted.

The Clerk of Court shall take all steps necessary to close the case.  
SO ORDERED.

*s/ Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: February 23, 2009